

AMENDED IN SENATE APRIL 10, 2007

AMENDED IN SENATE MARCH 26, 2007

SENATE BILL

No. 535

Introduced by Senator Kuehl
(Principal coauthor: Senator Alquist)

February 22, 2007

An act to amend Section 1422.5 of the Health and Safety Code, relating to long-term health care facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 535, as amended, Kuehl. Long-term health care facilities.

Existing law requires the State Department of Health Services to develop and establish a consumer information service system to provide information to the general public and consumers regarding long-term health care facilities in their communities. Effective July 1, 2007, these duties are transferred to the State Department of Public Health.

This bill would revise information to be provided and how that information is made available to the general public and consumers.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1422.5 of the Health and Safety Code is
- 2 amended to read:
- 3 1422.5. (a) The department shall develop and establish a
- 4 statewide consumer information service system to provide current
- 5 and accurate information to the general public and consumers
- 6 regarding long-term health care facilities in their communities.

1 The consumer information service system shall include, but need
2 not be limited to, all of the following elements:

3 (1) An online information system available on the Internet
4 through an accessible Web site. The Web site created pursuant to
5 this paragraph shall be operational and made available to the public
6 by March 1, 2008, and shall include the information elements
7 specified in paragraph (2).

8 (2) Long-term health care facility profiles, with data on services
9 provided, a history of all deficiencies, citations, and complaints
10 for the last three full survey cycles, and current ownership
11 information. The profile for each facility shall include, but not be
12 limited to, all of the following:

13 (A) The name, address, and telephone number of the facility.

14 (B) Current and accurate ownership information pursuant to
15 Sections 1265 and 1267.5, including, but not limited to, whether
16 the facility is a for-profit or nonprofit provider; the name, address,
17 and telephone number of the facility's parent company, if
18 applicable; the name, address, and telephone number of the
19 licensee; and the name of the current administrator.

20 (C) The number of licensed beds in the facility.

21 (D) Whether the facility accepts Medicare or Medi-Cal patients.

22 (E) Whether the facility has filed a notice of intent to withdraw
23 from the Medi-Cal program, and the date that the notice of intent
24 to withdraw was filed with the department.

25 (F) Whether the facility has a special care unit or program for
26 people with Alzheimer's disease and other dementias, and whether
27 the facility participates in the voluntary disclosure program for
28 special care units.

29 (G) Information regarding all substantiated and unsubstantiated
30 complaints, including, but not limited to, the date of the complaint,
31 the nature of the complaint, the date the complaint was investigated,
32 the action taken, and the date of the action taken.

33 (H) Information describing all state and federal deficiencies
34 issued to the facility, including, but not limited to, the date of the
35 deficiency, the nature of the deficiency, ~~and~~ the scope and severity
36 of the deficiency, *and the facility's plan of correction*.

37 (I) Information describing all state citations assessed, including,
38 but not limited to, the date of the citation, the nature of the citation,
39 the class of the citation, the amount of the penalty assessed, and
40 the status of the citation.

1 (J) Updated information, on a regular and timely basis, regarding
2 any appeal resolution pertaining to a citation or complaint.

3 (K) Information describing state enforcement actions imposed,
4 including, but not limited to, license suspensions, revocations, and
5 the appointment of temporary managers and receiverships.

6 (L) Information describing federal enforcement sanctions
7 imposed, including, but not limited to, any denial of payment,
8 temporary management, termination, or any civil ~~money~~ *monetary*
9 penalty imposed.

10 (M) Information on compliance with staffing ratio requirements.

11 (N) Any information or data the department deems beneficial
12 to the public and consumers.

13 (b) It is the intent of the Legislature that the department, in
14 developing and establishing the system pursuant to subdivision
15 (a), maximize the use of available federal funds.

16 (c) In implementing this section, the department shall ensure
17 the confidentiality of personal and identifying information of
18 residents and employees, and shall not disclose this information
19 through the consumer information service system developed
20 pursuant to this section.

21 (d) The department shall make current written copies of the
22 long-term health care facility profiles available to the public
23 through its district offices.